

17 June 1957

STAT

Honorable Francis E. Walter
House of Representatives ✓
Washington 25, D. C.

Dear Mr. Walter:

In your letter of 5 June 1957 you asked for our comments on H. R. 7915, which you recently introduced. We have long been concerned with the very serious problem of the relation of confidential information to court actions, one facet of which was explored in the Jencks case. Not only is this Agency custodian of a great amount of information classified in the interest of national defense and security, but also I am charged by the Congress with responsibility for the protection of intelligence sources and methods from unauthorized disclosure.

We have been faced from time to time with situations in which matters under consideration by the courts of this country involved such classified information or the possible revelation in open court of intelligence sources and methods. It has been our practice in these cases to consult with the Department of Justice for guidance on the legal technicalities involved.

I am constrained, therefore, to leave to the Department of Justice comment on the constitutional issues, the problems of due process and the procedural and practical

EXECUTIVE REGISTRATION

aspects of H. R. 7915. In general, however, we would endorse any additional legislative protection to our security problems which would be consistent with the American concept of the administration of justice. I appreciate, therefore, the opportunity to review your efforts in this direction as contained in H. R. 7915.

The Bureau of the Budget has advised that it interposes no objection to the submission of this report.

Sincerely,

Allen W. Dulles
Director

CLEARED BY:

STAT
[Redacted]
Legislative Counsel 11 June 57
Date

25X1
STAT
Roger [Redacted]
Asst. Dir. for Legislative Reference 14 June 57
Bureau of the Budget Date

OGC:LRH:jeb

Rewritten: IG/LC/NSPaul:fm (14 June 57)

Distribution:

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- 1 - DCI
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- 1 - General Counsel w/ basic
- 2 - Legislative Counsel

Buck slip JSE to Mr. Houston:
Please note that the boss deleted from the second paragraph "as we feel it is not within our competence to pass on such matters", since he felt ~~we might wish to invoke this~~ that possibly at some future date we might wish to "invoke this prerogative".



CENTRAL INTELLIGENCE AGENCY

WASHINGTON 25, D. C.

OFFICE OF THE DIRECTOR

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MEMORANDUM FOR: THE DIRECTOR

Congressman Walter introduced a bill, H. R. 7915, designed to protect confidential information of the Executive Branch from release on demand to defendants in criminal cases. The purpose is to overcome the recent ruling of the Supreme Court in the Jencks case. Congressman Walter has requested our comments on his bill. I believe we should maintain that comment on the legal aspects is the prerogative of the Department of Justice and have drafted the attached response accordingly.

11 June 1957
(DATE)

LAWRENCE R. HOGAN
General Counsel

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

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